



Commissioner's Column Building a Better APR Program

by Jonathan L. Healy

Our Department is presently dealing with a whole range of issues pertaining to the APR program. The good news is that many farmers continue to line up for funds to acquire APRs on their farms. In fact, in fiscal year 2001 (July 1, 2000 to June 30, 2001) our Department spent a record amount of approximately \$13 million to acquire the APRs. The bad news is that there have been some growing pains in the APR program indicating that we should increase communication with future APR farmers about the provisions in an APR. Part of the growing pains revolve around "estate" values, and other unforeseen trends in the economy that have resulted in APR sales to non-farmers at prices so high that no farmer could ever afford to buy an APR after an "estate" sale.

On the communication level, we hope the farm community likes communication in the form of this newsletter, which should inform you about some of the activities in our APR program. We are also working on an APR

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APR Program Has Record-Breaking Year

Thanks to unprecedented support for farmland protection from State Environmental Affairs Secretary Bob Durand, along with the help of a number of partners, and the hard work of APR staff, Fiscal Year 2001 represented a record-breaking year for the APR Program in a number of areas.

The APR Program invested approximately \$13 million in FY01 in protecting 52 properties totaling approximately 4,800 acres. This is a record for the program in dollars invested and properties/acres protected in any one year. Secretary Durand has backed his commitment to agriculture with the funding necessary to protect it.

In addition, the U.S Department of Agriculture's Natural Resource Conservation Service (NRCS) Farmland Protection Program awarded the Commonwealth \$611,900 in matching funding that will assist in buying an

additional 10 properties. To date, the FPP has provided four grants totaling \$2.4 million that went to protect 28 farm properties with 2,925 acres. Special thanks go to State Conservationist Cecil Currin and State Resource Conservationist Rick DeVergilio for their strong and effective advocacy in Washington, D.C. of the APR Program, and for their support of the APR Program's efforts to protect farmland here in Massachusetts.

Finally, a number of land trusts around the state played critical roles in assisting with the acquisition of APRs, including the Franklin Land Trust, The Trustees of Reservations, Berkshire Natural Resource Council, American Farmland Trust, Deerfield Land Trust, Valley Land Fund, Kestrel Trust, Carlisle Land Trust, Mt. Grace Land Conservation Trust, Hilltown Land Trust, and the Sudbury Valley Trustees. ■

APR Program Reorganized

As of July 15, the APR Program, housed in DFA's Lancaster Field Office, has been reorganized to meet the demands of the times and deliver the best program possible to our constituents. To that end, Rich Hubbard and Chris Chisholm will handle acquisitions for the program on a statewide basis. Rich will continue to manage the funding, relationships with the land trusts, and the external relations with other agencies and states.

Now that there are 500 plus APRs, dealing with them has become increasingly demanding. Stewardship of existing APRs will be assigned to Acting Deputy Chief of Staff, Mary Greendale and Michele Padula as Stewardship Coordinator. All issues related to requests for changes to APRs, monitoring and related compliance and stewardship issues will go to them. It is the Department's intent to fill the Deputy post permanently once another round of funding is authorized by the Legislature.

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APR Program Receives Federal Assistance

The APR Program was recently informed that it has received a \$611,900 matching grant from the U.S. Department of Agriculture Natural Resource Conservation Service (NRCS). This fourth grant from the NRCS's Farmland Protection Program (FPP) increases the total in FPP funding received to date by the APR Program to just over \$3 million.

The previous \$2.4 million received from FPP has assisted in the protection of 28 farm properties totaling 2,925 acres, and it has served to leverage over \$5 million in state and local farmland protection funding. It is expected that this latest FPP grant will assist in protecting an additional 10 properties.

Special thanks go to State Conservationist Cecil Currin and State Resource Conservationist Rick DeVergilio for their strong and effective advocacy in Washington, D.C. of the APR Program, and for their support of the APR Program's efforts to protect farmland here in Massachusetts. ■

The APR Monitoring Program in Full Swing

Over one-third of the restricted farms in the Commonwealth have been monitored, mostly in Berkshire, Essex, Hampden and Middlesex counties. Several additional monitors were recently hired, so APR owners in other areas of the state will soon be contacted. Baseline documentation is also being prepared on new acquisitions, and our goal is to monitor each farm every two years.

We have been very pleased to learn that the majority of farms are well managed and operating in compliance with the terms of the restrictions. Some of the violations that have been detected include farm dumps, abutter encroachments, soil excavation, subdivisions without approval, and the construction of buildings without approval. Many of the violations were simple activities that required prior approval from the Department, but approval was never obtained. Most of the violations are being resolved by landowners and APR staff, but the Department's legal counsel and the Attorney General's Office are handling several of the more serious violations.

Please remember that certain activities on APR farms require prior approval from the Department. Applications are available to request approval for the following activities:

- Construction of a dwelling
- Construction of housing for labor and/or seasonal employees,
- Construction of an agriculture related permanent structure (i.e. barn)
- Construction of an agriculture-related improvement (i.e. pond),
- Construction of agricultural retail sales structure, excavation,
- Subdivision
- Request a Waiver of a Right of First Refusal or an Option at Agricultural Value

Please contact Deb Lucas, Administrative Assistant, at (508) 792-7712 x. 11 to request an application.

Please take the time to review your APR document very carefully to be certain that you understand the terms of your restriction. If you have any questions about your restriction or the APR Monitoring Program, feel free to contact Michele Padula, APR Stewardship Program Coordinator, at (508) 792-7712 x 12. ■

Welcome New GIS Staff

Lisa Correa was recently hired by the Natural Resource Conservation Services (NRCS) to fill Rachel Adams' position, who left DFA to attend graduate school in her home state of Hawaii. Lisa is a recent graduate of Worcester State College where she received a degree in geography. Lisa will be working with Barbara Hopson, the Department's GIS Administrator, on the soils digitization project. ■

Plan Ahead for APR Changes

Owners who are submitting applications to build or make other changes on an APR, please note: the process requires a site visit in some cases and in all cases requires a vote of the ALPC (Agriculture Lands Preservation Committee). On average, the committee meets every six weeks. Thus, one can expect the process to take eight weeks. If you think you want to do a project, please allow the eight weeks in your planning and contact the department early. ■

APR News

Massachusetts Department of
Food and Agriculture

Bureau of Land Use

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Michele Padula
Regional Planner

Carol Szocik
Legal Staff

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In addition, Carol Szocik will work directly for the legal department. Administrative Assistant Deb Lucas will provide support to the acquisition team, and a new support person will be created for stewardship. Finally, MEPA reviews will be under compliance and the Deputy Chief of Staff, and GIS services will work directly for Agriculture Development. All will remain in the Lancaster Office. There are efforts underway to relocate the Lancaster office because the owners (Dept. of Capital Assessment Management) need the space for other activities. The new location will be announced as soon as plans are finalized. ■

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information sheet, provided to all parties who enter into APR agreements, which should go a long way to explain the legal terms in an APR. We will soon have a "frequently asked questions" manual that should clarify the program to possible new APR applicants. Also, in efforts to further communications, we will continually remind prospective applicants about how important it is to have an attorney represent them. These APRs are forever, and it is very important that all parties understand what the APR document means.

On another level, we are presently re-organizing our APR folks in Lancaster. We will have some staff devote their efforts only to acquisition activities. Others will focus upon the monitoring of existing APRs since we now have over 500 parcels in the program. A new position is also being created, a deputy chief of staff. This person will be based full-time in the Lancaster office and directly report to me as commissioner. I think many of the communication and administrative issues that have been raised will be addressed by this person.

Thanks for bearing with us as we work through 20 plus years of APR history in developing an even better APR program for the next millennium.

Farm Profile: Parlee Farm



Mark and Ellen Parlee (to the right of the sign) were joined by state and local officials last year in unveiling their agricultural directional highway sign which was erected on a nearby state highway. The Ag. Highway Signage program is a collaborative effort of MDFA and the MassHighway department.

Mark and Ellen Parlee have been farming in Tyngsboro since 1986 when they purchased their first 10 acres on Farwell Road. At that time they were also renting land on Westford Road in Tyngsboro to grow strawberries. Mark and Ellen wanted to consolidate their operation in one location, preferably near their home on Farwell Road. Fortunately, the 10 acres they had purchased on Farwell Road was surrounded by 64 acres of hayfields which were protected through the APR Program in 1986.

In 1991, Mark and Ellen were able to purchase John Ekstrom's 41 acre hayfield adjacent to their home farm on Farwell Road. According to Mark, this would not have been possible without the restriction on the farm previously put in to place by the APR program. In 1999, Stella Beh's 23 acre hayfield became available and was purchased by Mark and Ellen again at a reasonable cost due to the APR Program.

Since the first purchase of the unrestricted 10 acre parcel on Farwell Road, Mark and Ellen have been very busy converting the hay operation into a diverse and very successful pick-your-own operation. They now cultivate seven acres of strawberries, nine acres of apples, six acres of blueberries, two acres of raspberries, six acres of corn, six acres of pumpkins, a half-acre of cut flowers and one acre of day-neutral strawberries. They also offer their pick-your-own customers hayrides, ice cream and hot apple crisp, and fruit pies purchased from Mann Orchards in Methuen. Mark plans on planting sweet cherries and Asian pears in the near future.

Because of the APR Program, John Ekstrom and Stella Beh were able to fulfill a dream of protecting their farm in perpetuity. This desire to protect their farm for future farmers enabled Mark and Ellen Parlee to achieve their goals of creating an intensive and successful pick-your-own business. A win-win situation. ■

Correction

A July 12th article in the Worcester Telegram, regarding the Dresser Hill Farm contained some incorrect information about the APR involvement. The article indicated that the Grimes Family "bought back the development rights" to the farm. This is absolutely incorrect.

The 41 acres in question was never an APR farm; it did not and does not have a Restriction on it. What the Grimes did was to request of the Town that the land be removed from Chapter 61A, the local tax assessment category that permits farmland to be assessed at lower values than other land.

The Town of Charlton has sent a letter to the Department clarifying that the mistake was that of the Telegram, and that the request was to remove the land from 61A. The Grimes Family, when they created their APR, deliberately excluded this 41 acres intending to someday develop it. They are merely executing their long range plan. ■

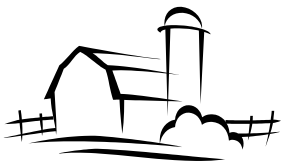
LAND-LINK

Thinking of selling your APR farm or hoping to buy additional land? New England LAND-LINK is a comprehensive, regional farm transfer program sponsored by the New England Small Farm Institute in Belchertown. LAND-LINK offers matching services, linking folks looking to buy land and those looking to sell (restricted and unrestricted land). Contact Matt Rulevich, Program Manager at (413) 323-4531 or e-mail at programs@smallfarm.org. The LAND-LINK website is www.smallfarm.org.

Fiscal Year 2001 Agricultural Preservation Restriction Acquisitions

The Department of Food and Agriculture invested over \$11.9 million in acquiring the following APRs during Fiscal Year 2001 (July 1, 2000 through June 30, 2001):

APR NAME	TOWN	COUNTY	ACRES RESTRICTED
GBLC/Cinkala	Gt. Barrington	Berkshire	9
BNRC/Petricca	Lanesborough		115
Collins Nominee Trust	Lanesborough		108
Bluebird Hill Dev., LLC	Sheffield/New Marlborough		310
BNRC/Palmer	Tyringham		153
Ryder	Dartmouth	Bristol	18
MLCT/Russell	Westport		214
Pikul	Rowley	Essex	140
FLT/Kinchla	Charlemont	Franklin	47
FLT/Paye	Colrain		21
AFT/Bar-Way Farms	Deerfield		55
DLT/Karas	Deerfield		22
DLT/Rosario et al	Deerfield		33
DLT/Savage	Deerfield		9
DLT/Stokarski	Deerfield		27
FLT/Grybko	Deerfield/Whately		20
Noyes	Greenfield		128
Cable	Heath		190
FLT/Dickinson	Heath		167
FLT/Kinsman	Heath		122
MGLCT/Bitzer	Montague		15
MGLCT/Gordon	Orange		120
Rouleau	Orange		178
FLT/Graves	Shelburne		108
MGLCT/Bowers	Warwick		67
MGLCT/Fellows	Warwick		196
August	Whately		44
FLT/Maiewski	Whately		11
WMECo - gift	Agawam	Hampden	30
MLCT/Weston	Brimfield		77
Boisseau	Westfield		76
AFT/Kentfield	Amherst	Hampshire	49
Streeter	Cummington/Plainfield		337
VLF/Sena	Easthampton		124
Breezy Acres, LLC	Granby		39
Kestral Trust/Hatch	Granby		45
Fil	Hadley		20
City of Northampton	Northampton		30
HLT/Gullwing Herb	Worthington		88
Town of Carlisle	Carlisle	Middlesex	32
MLCT/JB&C Trust	Dracut		15
MLCT/Shaw Farm Dairy	Dracut		50
Pepperell Farm Trust	Pepperell		173
Howe	New Braintree		118
MLCT/Stillman	New Braintree		14
Keown	Sutton		180



Key to Acronyms

The following acronyms, used in the table at left, stand for some of the organizations that frequently assist in the acquisition of APR land

AFT - American Farmland Trust
BNRC - Berkshire Natural Resource Council
DLT - Deerfield Land Trust
FLT - Franklin Land Trust
HLT - Hilltown Land Trust
MLCT - Massachusetts Lands Conservation Trust
TNC - The Nature Conservancy
VLF - Valley Land Fund

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